

REMARKS

This Amendment is responsive to the Office Action mailed Jan. 11, 2006. Claims 1 – 32 are pending, and the Office Action rejected Claims 1, 2, 5 – 10, 13 – 18, 20, 21, 23, 24 and 27 – 31. Claims 3, 4, 11, 12, 19, 22, 25, 26, and 32 were objected to. In addition, informalities were noted with respect to Figs. 1 and 2, the specification on page 31, and Claim 17.

In response, the Applicant has amended Figs. 1 and 2 as suggested, corrected the specification on page 31, and amended Claim 17. In addition, the Applicant provides the following remarks with respect to the substantive rejection.

Independent Claims 1, 9, 17, 20 and 23, as originally worded, all included the limitation that “the length of a section on the beginning side is smaller than the length of a section on the end side”. In order to clarify the language, and not in view of the prior art rejection, the Applicant has amended this to read “section n is longer than the length of section 1”. In other words, according to the present invention, a content program is divided up into n sections, wherein the first section, section 1, is shorter than the last section, section n. The dependent claims add additional specific mathematical relationships between the sections.

The Office Action cites DeBey (U.S. Patent No. 5,701,582) as disclosing in Fig. 8 and at col. 15 lines 56 – 63, a sectioning scheme wherein the beginning section (section 1) is smaller than an end section (section n). However, the cited figure and description actually disclose the **exact opposite** of this element. As is shown in Fig. 8 of DeBey, and described at the noted column 15, DeBey teaches that a program is divided into several equal length “segments” (i.e. 8). This is described at line 40 of column 15: “in the second column the entire program is shown divided up into eight equal segments numbered 1 to 8 respectively.” Then, each segment is further sub-divided into “fragments”. At line 48, “Each of the eight segments is divided into as many fragments as the number of that segment. Therefore, Segment 1 is divided into one fragment, Segment 2 is divided into two fragments, and so forth.”

Thus, Segment 8 is divided into eight fragments. If one considers each “segment” of DeBey analogous to the present invention’s sections, then it is clear that DeBey does not disclose that the beginning section is smaller than the ending section, since the “segments” of DeBey are of equal length. Similarly, if one considers each “fragment” of DeBey analogous to the present invention’s sections, then the fragments of Segment 8 are 1/8 the size of the fragment of Segment 1. Thus, the beginning fragments are actually longer than the ending fragments.

In contrast, as claimed in each of the amended independent claims, in the present invention the length of “section n is longer than the length of section 1”. This is simply not taught or suggested by the prior art of record, and in fact, the cited prior art actually teaches away of the present invention. For at least this reason, the present claims are allowable over the cited prior art. The Applicant reserves the right to further argue for additional bases for allowance, if warranted.

It is now believed that the present claims are in condition for allowance. If a telephone call will expedite the processing of this application, the Examiner is requested to contact the undersigned attorney at the telephone number listed below.

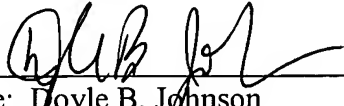
The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.78 to Deposit Account No. 50-2603, **referencing Attorney Docket No. 351778.06100. A duplicate sheet is attached.**

Respectfully submitted,

REED SMITH LLP

Dated: 4-10-2006

Two Embarcadero Center, Suite 2000
P.O. Box 7936
San Francisco, CA 94120-7936
Direct Dial (415) 659-5911
(415) 543-8700 Telephone
(415) 391-8269 Facsimile

By: 
Name: Doyle B. Johnson
Registration No. 39,240
Attorneys for Applicants

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner for Patents, US Patent & Trademark Office, Alexandria, VA 22313-1450, on April 10, 2006

Dated: April 10, 2006


Norma E. Gillespie